

PLANNING COMMITTEE

11 December 2014

Attendance:

Councillors:

Ruffell (Chairman) (P)

Evans (P)

Izard (P)

Jefferies (P)

Johnston (P)

McLean (P)

Pearson (P)

Read (P)

Rutter (P)

Scott (P)

Others in attendance who addressed the meeting:

Councillors J Berry, Gottlieb, Hutchison and Tait.

Others in attendance who did not address the meeting:

Councillors Dibden, Hiscock, Humby, Laming, Learney, Lipscomb, Mather, Weir and Weston.

1. **SILVER HILL, WINCHESTER – 2014 - PLANNING APPLICATIONS**

ITEM 1. - VARIATION OF PLANNING PERMISSION 06/01901/FUL MAJOR COMPREHENSIVE REDEVELOPMENT FOR APPROXIMATELY 2 HECTARES MIXED-USE SITE TO INCLUDE THE ERECTION OF NINE NEW BUILDINGS AND THE RETENTION AND CONVERSION OF THE WOOLSTAPLERS HALL; PROVIDING 287 NO. DWELLINGS (INCLUDING AFFORDABLE HOUSING); 20 NO. LIVE/WORK UNITS, RETAIL UNITS WITH ASSOCIATED SERVICE AREAS, OFFICES, THE PROVISION OF MEDICAL OR HEALTH SERVICES ALTERNATIVELY TO OFFICES IN BUILDING B, BUS STATION, YOUTH CENTRE, SHOPMOBILITY OFFICE, PUBLIC TOILETS, RAOB CLUB, WITH ASSOCIATED CAR/CYCLE STORAGE, LANDSCAPING AND ASSOCIATED WORKS (TO VARY APPROVED PLANS LIST CONDITION ADDED BY 13/00680/NMA). ASSOCIATED DOCUMENTS RECEIVED 17.10.2010 - AFFORDABLE HOUSING STATEMENT

Case No: 14/01912/FUL / W20100/04

ITEM 2. - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF A FIVE STOREY BUILDING COMPRISING RETAIL USES (CLASS A1-A5) AT GROUND TO SECOND FLOOR LEVEL; BUS STATION TICKETING OFFICE AT GROUND FLOOR; 25 NO. CLASS C3 RESIDENTIAL UNITS AT THIRD AND FOURTH FLOOR, TOGETHER WITH REFUSE AND RECYCLING STORAGE AND VEHICULAR AND PEDESTRIAN ACCESS.

ASSOCIATED DOCUMENTS RECEIVED 17.10.2010 - AFFORDABLE HOUSING STATEMENT
Case No: 14/01913/FUL / W20100/05

ITEM 3. - DEMOLITION OF NO 149/150 HIGH STREET AND REPLACEMENT WITH A THREE STOREY RETAIL AND RESIDENTIAL BUILDING, DEMOLITION OF 153 HIGH STREET AND REDEVELOPMENT FOR A THREE STOREY RETAIL AND RESIDENTIAL BUILDING, DEVELOPMENT OF A THREE STOREY RESIDENTIAL AND RETAIL BUILDING AT 161-162 HIGH STREET WITH ASSOCIATED LANDSCAPING AND ACCESS WORKS (153 HIGH STREET AFFECTS THE SETTING OF A LISTED BUILDING)
Case No: 14/01915/FUL / W20100/07

ITEM 4. - REMOVAL OF BRICK ARCH CONNECTING 153 HIGH STREET TO MAISON BLANC
Case No: 14/01916/LIS / W20100/06LB
 (Report PDC1012 and Update Sheet refers)

The decisions arising from consideration of the above Reports are circulated separately and form an appendix to the minutes.

The Committee agreed to receive the Update Sheet as an addendum to Report PDC1012.

In summary the Update Sheet outlined that a further 392 objections and a further 27 letters of support had been received since publication of the report, and these did not raise any new issues not already detailed in the report. In addition a letter of objection had been received from Prime Planning and Development Limited, which acted on behalf of Winchester City Councillor Gottlieb, and the letter did not raise any new matters not already detailed in the report. The Update Sheet also clarified the position of the City Winchester Trust's representation and also stated that the Heads of Term for Travel Plan costs would increase as a result of additional consultation with Hampshire County Council.

In the Update Sheet an amendment was proposed to condition 01 as follows – the development hereby permitted shall be begun before the expiration of 09/02/2016, the date of the original planning permission 06/01901/FUL; Reason: to comply with the provisions of Section 91(1) and Section 73 of the Town and Country Planning Act 1990. A further additional condition was also proposed that a pedestrian entrance shall be provided at ground level into Building B from Friarsgate or the north side of Lawn Street into Building B. This shall be detailed on the large scale elevation plans to be submitted pursuant to condition 03; Reason: in the interests of providing access to facilities for bus passengers or other customers.

Reference was also made to a representation from Harvey Cole (Economic and Development Consultant) regarding the advice provided by the Council's retail consultants NLP which alleged that NLP had overestimated retail need in the town. The officers' response was that they were satisfied that the

alleged omissions did not exist. Furthermore, regarding NLP's advice pertaining to National Retail Policy it was clarified that the suggestion of a lack of retail need should not be the basis for determining planning applications, nor was there a requirement to assess the impact of retail development unless it was outside a defined town centre, and this proposal was within the town centre. Finally, the basis of the calculation of the capital value for affordable housing was clarified. Full details were contained in the Update Sheet.

Following the officers' presentation of the four applications comprising the scheme, the following points were clarified during Members' questions.

The arrangements for the operation of buses and coaches did not need to be determined at this meeting as they would be clarified in the s106 Legal Agreement. However, the proposed arrangements had been examined and officers were confident that they would lead to a successful operation. The issues that would be taken into consideration included the safe turning of coaches within the Broadway and pedestrian safety; the arrangements for tourism coaches within the Broadway, including National Express operations; bus stop layout; the arrangements for layover time for the bus operators; the bus timetable arrangements and also the new bus facility on Friarsgate and its relationship with queuing traffic to the Brooks car park entrance.

The applications included a Public Realm Strategy, which was not included within the consented scheme. This strategy was required to be agreed and would contain detail on matters including the species of trees to be planted and the cycle routes within the site. The Strategy would be secured as part of the s106 Legal Agreement. In addition, the Environmental Impact Assessment also considered flooding. Within the Impact assessment there was consideration of the responsibility for dealing with water run-off from privately owned areas within the development, and it was envisaged this would be managed by a management company.

During public participation the following members of the public spoke in objection:

Tim Fell
Karen Barratt
Patrick Davies
Harvey Cole
Peter Marsh
Huw Thomas
Judith Martin
Rupert Pitt
Bruce Harvey Raven
Jackie Porter (Hampshire County Councillor)
Phill Cagg
Nicholas Craig-Harvey
Kate Macintosh
Eleanor Bell
Brian Harvey

Arising from the comments made by objectors, the Head of Legal and Democratic Services clarified that the Judicial Review against the Council regarding Silver Hill related to a procurement issue and not a matter relating to the planning applications. Therefore there was no need to defer consideration of the applications. It was also confirmed that it was appropriate for the changes to the consented scheme (dealt with in the first application) to be dealt with under Section 73 of the Town and Country Planning Act 1990 as the changes were regarded as minor material amendments for the reasons explained in the officer report.

The following adjacent Ward Members made comment on the applications: Councillor J Berry (a Ward Member for St John); Councillor Hutchison (a Ward Member for St Paul) and Councillor Gottlieb (the Ward Member for Itchen Valley).

In summary, Councillor J Berry stated that major changes had been introduced since the original scheme, with the present application just providing expensive homes and shops; there was no youth centre or car club which had been part of the original application. The proposals were not a multiuse town centre development with culture and variety and this would be at the expense of local people. The original application had diversity and the present application had focused on income. There was no bus station to provide a facility where people could undertake social interchange and receive advice, but instead a street facility would be provided. Bus users had tolerated a rundown bus station on the understanding that it would be replaced in the Silver Hill redevelopment. A bus station would have promoted public transport and would have fitted in with the desired outcomes of the Winchester Town Forum and the Winchester Town Access Plan to provide access for all. New bus stations had been provided elsewhere including Andover, operated by Stagecoach, and also in Bedfordshire. A new bus station would also have provided a base for Shopmobility. It was asked that if a new bus station was acceptable to Henderson in 2012, what had changed to make it unacceptable now as the legal agreement had been unaltered? At this stage the proposals were not robust enough for buses to operate without further amendment to the scheme, which led to concerns. There was also the loss of social housing which resulted in an unacceptable scheme which was not socially inclusive.

In summary, Councillor Hutchison stated that in addition to being a member for St Paul Ward he was also Chairman of the Winchester Town Forum. What was required was a well balanced scheme which was socially mixed to provide diversity and give balanced communities and also to provide a sustainable development. The proposed redevelopment required more people to live within it as there would be 13,800 square feet of retail development, which was out of balance. The development did not meet the requirements of paragraph 13 of the National Planning Policy Framework as it did not reduce congestion or greenhouse gases and the work undertaken by Hampshire County Council would increase traffic movements and lead to more congestion. Upmarket shopping and housing would lead to more traffic and would increase traffic risk in Friarsgate and did not meet the requirements

of Winchester Town Forum's traffic aspirations or those of the Winchester Town Access Plan. There was an opportunity for Silver Hill to create a new and improved bus station for the future, which could increase the number of bus travellers. The proposals did not meet the spirit of policy CP2 Housing Mix where there was a priority for affordable housing and the 100 affordable units to be provided in the consented scheme had now been reduced to zero. Only after representation did the developer offer £1 million towards affordable housing, which questioned their integrity. If social housing could not be provided on such a large site, when the City Council was a substantial landowner, it was the wrong scheme.

In summary, Councillor Gottlieb declared a personal (but not prejudicial) interest in the applications due to his membership of the Winchester Deserves Better campaign. He stated that this was an important decision and that the site required regeneration, but this was not the right scheme. He provided his own commissioned computer generated images which contrasted with those provided by the developer as they had been corrected to put the sun in a correct position and the trees had been removed. This was illustrated in the view of Friarsgate in image A. Images were shown of view B on Friarsgate without direct sun and trees to reveal what the architecture would actually look like; Image C, showed access to the car park and for service vehicles (including its associated louvres) and access for buses and pedestrians, and he stated that block B could be lowered if less car parking was provided. He commented that the buildings were flat faced and bland; Image D showed residential block J facing Friarsgate; Image E, showed the view of the development from the rear of the St Johns alms houses, which he commented was not beautiful, unlike that of the alms houses themselves; Image F illustrated the back and front of residential Buildings C and D, which he commented was not a place to be for pedestrians; image G, showed a view from Silver Hill which was not as tightly cropped and allowed a view of the top of buildings to show their height; image H, showed the Broadway end of Lawn Street; image I, showed the Friarsgate end of Lawn Street, which he commented presented a wet and windy pedestrian route, and image J, showed Building B which he commented towered above Woolstaplers Hall. Reference was also made to an image of Building A, which he commented was monumental and vast architecture upon which shrubbery would not grow. The proposals represented brutal and monolithic architecture, which would dominate and wreck the area's character. The architecture was not good enough and needed to be more inspirational. He asked the Committee to defer the application until the transport information was received.

Councillor Tait spoke on the applications in his capacity as Portfolio Holder for Housing Services.

In summary, Councillor Tait stated that he was also a Ward Member for St Michael, which was an adjacent ward to the site. He was also associated with St John's Winchester Charities and the Winchester Housing Trust, both of which provided considerable affordable housing within the town. With regard to the delivery of affordable housing on the Silver Hill site, there was demand for family housing, with a garden and space for the storage of pushchairs, and not two bedroomed flats, as would be provided at Silver Hill. There was

already considerable provision of affordable housing within central Winchester including schemes such as Godson House, Lawn House, Richard Moss House and Danemark Court, although some of these dwellings had been bought under the Right to Buy scheme. In addition there was West View House and the Night Shelter. The provision of £1 million by the developer had given an opportunity for the City Council to deliver affordable housing either through its own stock or by working with partners. Henderson's had already had dialogue with St John's Winchester Charities over affordable housing provision and this remained an option. The new build programme for affordable housing was underfunded. What was not required was affordable housing on the Silver Hill site as these would be flats with high service charges that could not be funded by the benefits system. There were no longer any affordable dwellings within the Peninsula Barracks development. From St Michael Ward there were 49 letters in opposition to the development 19 in support and two additional comments.

The following members of the public spoke in support of the application:

Richard Baker (City of Winchester Trust)
 Dr Fitzgerald-Barron
 Ken Macartney
 Chris Turner (Winchester BID)

The public speakers replied to questions from Members of the Committee as follows:

In summary, Mr Turner stated that there was demand for retail space within the High Street and that the Brooks was a separate consideration and needed its own work and effort to secure tenants. He was confident that the large retail area within Silver Hill would be occupied by an alternative tenant should Sainsbury's fail to relocate within the scheme and that the present occupiers of large retail space within the High Street area would not relocate to Silver Hill.

The following representatives spoke in support of the applications on behalf of the applicant, Silverhill Winchester No.1 Limited:

Cameron Fraser - Hendersons
 Paul Appleton – Allies and Morrison
 Nick Symons - MMX

Mr Symons replied to a question from a Member of the Committee as follows:

The Whiteley retail centre had been mentioned as a competitor to Winchester, although it was some distance away, as it provided free car parking and good access and the retail units provided the ideal space for a modern retailer due to their quality. In addition, the opening of the cinema in 2015 would add to Whiteley's appeal.

At the conclusion of public speaking the Committee debated the application.

In conclusion, the Committee agreed to grant planning permission in respect of Item 1 for the reasons and subject to the conditions and informatives set out in the Report and Update Sheet; for items 2 and 3 for the reasons and subject to the conditions and informatives set out in the Report, and also Listed Building Consent in respect of item 4 subject to the conditions and informatives set out in the Report as reproduced below:

RESOLVED:

That the decisions taken on applications 14/01912/FUL, 14/01913/FUL, 14/01915/FUL and 14/01916/LIS, be agreed as set out in the Schedule (appended to the minutes for information), subject to the following:

That in respect of application 14/01912/FUL:

1. Condition 01 be amended as follows: – the development hereby permitted shall be begun before the expiration of 09/02/2016, the date of the original planning permission 06/01901/FUL; Reason: to comply with the provisions of Section 91(1) and Section 73 of the Town and Country Planning Act 1990.
2. A further additional condition be agreed as follows: - that a pedestrian entrance shall be provided at ground level into Building B from Friarsgate or the north side of Lawn Street into Building B. This shall be detailed on the large scale elevation plans to be submitted pursuant to condition 03; Reason: in the interests of providing access to facilities for bus passengers or other customers.

The meeting commenced at 9.30am, adjourned for lunch between 12.35pm and 1.45pm and concluded at 5.10pm.

Chairman

WINCHESTER CITY COUNCIL

SPECIAL PLANNING COMMITTEE MEETING : SILVER HILL

DECISIONS

11.12.2014

PART II DEVELOPMENT CONTROL APPLICATIONS
AND DECISIONS THEREON



Working in Partnership



Winchester Town

Ward

St Bartholomew

01 Conservation Winchester Conservation Area
Area:
Case No: 14/01912/FUL
Ref No: W20100/04
Date Valid: 14 August 2014
Grid Ref: 448414 129444
Team: 2_STH **Case Officer:** Lorna Hutchings
Applicant: Silverhill Winchester No.1 Ltd
Proposal: Variation of planning permission 06/01901/FUL Major comprehensive redevelopment for approximately 2 hectares mixed-use site to include the erection of nine new buildings and the retention and conversion of the Woolstaplers Hall; providing 287 no. dwellings (including affordable housing); 20 no. live/work units, retail units with associated service areas, offices, the provision of medical or health services alternatively to offices in Building B, bus station, youth centre, shopmobility office, public toilets, RAOB club, with associated car/cycle storage, landscaping and associated works (to vary approved plans list condition added by 13/00680/NMA). ASSOCIATED DOCUMENTS RECEIVED 17.10.2010 - AFFORDABLE HOUSING STATEMENT for SILVERHILL WINCHESTER NO.1 LTD OCTOBER 2014
Location: Silver Hill Development Tanner Street Winchester Hampshire
Officer PER
Recommendation:

Committee Decision:

APPROVE SUBJECT TO THE FOLLOWING CONDITION(S):-

Conditions/Reasons

1. The development hereby permitted shall be begun before the expiration of 09/02/2016 – the date of the original planning permission 06/01901/FUL.

Reason: To comply with the provisions of Section 91 (1) and Section 73 of the Town and Country Planning Act 1990.

2. Before any development commences on each phase of the development hereby permitted, plans and particulars showing further detail of the proposals hereby approved for all the following aspects of the development (as applicable to that phase) shall be submitted to and approved in writing by the Local Planning Authority before each phase is commenced. The approved details, which includes the public realm, shall be carried out and fully implemented before the building(s) in that phase is/are occupied unless the written approval of the Local Planning Authority is first obtained for any variation thereto.

(a) The alignment, height, materials and finished colour of any retaining walls or screen structures and all boundary treatments, including all walls, fences and other means of enclosure.

(b) Details of the provision to be made for the storage and disposal of all waste material from the retail units and from the residential units and the market, including the siting, design and materials for any bin storage areas or collection points.

(c) Details of the siting, design, finish and means of enclosure for any fuel oil or gas storage tanks or other structures associated with utilities. Any oil tanks shall incorporate adequate spillage containment facilities.

(d) The finished levels, above ordnance datum, of the ground floor of the proposed buildings, and their relationship to the levels of external ground, existing and proposed and any existing adjoining buildings.

(e) Details of the siting, external appearance and materials to be used for any statutory undertakers or service provider's equipment such as electricity sub-stations, gas governors.

Reason: To comply with the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order).

3. Before development commences on each of the buildings (i.e. Buildings A to J), unless otherwise agreed in writing, 1:20 scale fully annotated plans, elevations and sections of the following details shall be submitted to and approved in writing by the local planning authority:

- a. Eaves, verges, ridges and their junctions with elevations and roof slopes including details of shadow gaps.
- b. Balconies, balcony screens and balustrades and railings around terraces and roof top gardens.
- c. Window frames including reveals and junctions with façades and head and sill details, side panels and corner column details and columns between bays.
- d. Shop front details.
- e. Oriol windows including undersides, cheeks and roofs.
- f. Roof lights and their junctions with the roof plane.
- g. Junctions of glass where they join in instances where frames are not used.
- h. Dormer windows, including dormer cheeks and dormer roofs.
- i. Grills and horizontal and vertical louvres.
- j. Parapet cappings.
- k. Chimneys and vents.
- l. Patterns of brick coursing, tile coursing and the patterns of other cladding materials together with mortar colours and profiles, for each bay type including how the junctions will be formed with the same materials and different materials.
- m. Details of standing seam metal roofs.
- n. Shadow gaps between bays.
- o. Canopies and blinds and awnings.

- p. All rainwater goods including the detail where gutters cross window frames.
- q. Timber supports and framing on the bridge between Buildings A and B.
- r. Materials and detailing of the ceilings to overhangs, undercrofts and the bridge and the junctions with elevations.
- s. Solar panels and all other plant and machinery fixed to the external envelope of the buildings together with their fixing to all external materials.
- t. Doors and shutters together with framing and their junctions with the elevations.
- u. Garden gates, and all garden boundaries.
- v. Bridges over watercourses.
- w. Metre boxes/cabinets and other utilities where they will be visible from the public realm including their positions, colours and materials.

The approved details relating to each building shall be implemented in full before that building is occupied.

Reason: To ensure that the external appearance of the development is of a high quality in this sensitive town centre site which is designated as a conservation area

4. Before development commences on each of the buildings (i.e. buildings A to J) samples of all the external materials to be used on that building shall be submitted to and approved in writing by the local planning authority. The external materials shall comprise those listed on the approved drawings unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the external appearance of the development is of a high quality in this sensitive town centre site which is designated as a conservation area.

5. Prior to the commencement of the residential development hereby permitted, detailed information (in the form of SAP design stage data) demonstrating that all homes meet the Code 5 standard for fabric energy efficiency (FEE) (i.e. no more than 46kWh/m²/yr) and the Code 4 standard for both carbon emissions (as described by Ene 1) and water (in the form of a BRE water calculator) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these findings.

Reason: In the interests of the sustainability of the site and meeting development plan requirements.

6. Prior to the occupation of the residential development hereby permitted, detailed information (in the form of SAP as built stage data) demonstrating that all homes meet the Code 5 standard for fabric energy efficiency (FEE) (i.e. no more than 46kWh/m²/yr) and the Code 4 standard for both carbon emissions (as described by Ene 1) and water (in the form of a BRE water calculator) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these findings.

Reason: In the interests of the sustainability of the site and meeting development plan requirements.

7. Prior to the commencement of the non-residential development hereby permitted, an interim BREEAM assessment report (together with BREEAM certificates (at 'very good' or higher standard) confirming that at least 60.85% of available points have been achieved at the design stage shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these findings.

Reason: In the interests of the sustainability of the site and meeting development plan requirements.

8. Prior to the occupation of the non-residential development hereby permitted, a final BREEAM assessment report (together with BREEAM certificates (at 'very good' or higher standard) confirming that at least 60.85% of available points have been achieved at the post construction stage shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these findings.

Reason: In the interests of the sustainability of the site and meeting development plan requirements.

9. Before any development commences on each phase of the development hereby permitted, details of the following security measures (as applicable to that phase) shall be submitted to and approved by the Local Planning Authority in writing and the development shall be undertaken in accordance with such approval.

(a) The access control measures for private and public car parking and design details for all parking areas which should be to Secured by Design standards and capable of achieving the Park Mark Safer Parking Award;

(b) The access control measures for all residential accommodation;

(c) CCTV provisions for monitoring the car parking, residential access arrangements and servicing arrangements for all commercial properties; the bus station, shop mobility and all public areas;

(d) Secure cycle parking provision;

(e) Secure shopping trolley storage;

(f) Lighting provisions in all communal and public areas;

(g) Use of anti graffiti paint and vandal resistant fittings to public toilets;

Reason: To ensure that the development provides appropriate security measures in the interests of crime prevention.

10. Notwithstanding the approved elevations, Building B 'Store Signage' sign as shown on its north elevation is hereby not approved. Detailed shopfront and signage proposals for each unit, including any measures needed for security such as use of laminated glass to shop windows, grills, bollards or shutters, shall be submitted to and approved in writing by the Local Planning Authority prior to each shop front unit being commenced. The details shall be designed in accordance with the approved Shopfront Design Strategy as amended

and development shall be carried out in accordance with the approved details before each shop unit is occupied.

Reason: In the interests of the amenities of the area.

11.Any floodlighting or security lighting installed during the construction period shall be sited and directed in such a way as not to cause nuisance to adjoining properties or any adjacent highway.

Reason: In the interests of amenity and safety.

12.Details of any external lighting of the site, including any street lighting and lighting for security or other purposes, shall be submitted to, and approved in writing by the Local Planning Authority no later than 12 months after the commencement of construction on the first phase of the development. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, the environment and local residents from light pollution.

13.Details of a scheme for the provision of electric vehicle recharge points within the development shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of the phase in which they are located. Any works which form part of the approved scheme shall be completed before any dwelling is occupied in the phase in which they are located unless an alternative period is agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the locality.

14.Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking and re-enacting such order no external aerials or antenna of any kind shall be erected on the buildings hereby permitted without the

written consent of the Local Planning Authority and the development shall incorporate the provision of an integral cabled system to avoid the need for separate provision of such equipment.

Reason: In the interests of visual amenity.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking and re-enacting such order, the A1 retail uses hereby approved shall be retained in such use and shall not change use or benefit from flexible permitted development rights Class CA and IA of Part 3 of Schedule 2.

16. Any making good to the existing elevations or roof of the Woolstaplers Hall (Block H) building shall be undertaken using matching materials.

Reason: To ensure the detailing and materials maintain the architectural interest of the building.

17. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Those details shall include:

1. Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
2. A timetable for its implementation; and

3. A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable urban drainage scheme throughout its lifetime.

Reason: To prevent the increased risk of flooding, both on and off site, in line with the policy aims of the National Planning Policy Framework

18.The development hereby permitted shall not be commenced until such time as a scheme to provide the following has been submitted to, and approved in writing by, the local planning authority:

- Provision of compensatory flood storage where necessary.
- Identification and preservation of flood flow routes across the site

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided and that flood flows can be passed safely through the development.

19.No development shall take place until a plan for the de-culverting, in-channel and bank ecological enhancement, landscape management of the stream and any adjacent landscaped areas (including long- term design objectives, management responsibilities and maintenance schedules) for Abbey Mill stream (both arms) shall be submitted to and approved in writing by the local planning authority. The plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

Layout and details shall respond positively to local distinctiveness and include the following elements:

- Detail extent and type of new planting (NB planting to be of native species).

- Details of maintenance regimes.
- Details of any new habitat created on site.
- Details of treatment of site boundaries, channels, and/or buffers around water bodies.
- Details of management responsibilities.

Reason: To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy.

20.No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:

- All previous uses;
- Potential contaminants associated with those uses;
- A conceptual model of the site indicating sources, pathways and receptors;
- Potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: The site lies above the Lewes nodular chalk formation which is designated as a principal aquifer. Contamination present as a result of historical activities at the site (including a bus station, depot and workshop with fuel storage) may pose a risk to controlled waters and has the potential to pollute both the underlying aquifer and River Itchen. Risks to groundwater and surface water from contamination have not yet been fully established at the site.

21.No occupation of each phase of development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure that remediation has been carried out in accordance with the agreed strategy.

22.If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: The site lies above the Lewes nodular chalk formation which is designated as a principal aquifer. Contamination present as a result of historical activities at the site has the potential to pollute both the underlying aquifer and River Itchen. Risks to groundwater and surface water from contamination have not yet been fully established at the site.

23.No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: The site lies above the Lewes nodular chalk formation which is designated as a principal aquifer. Infiltration system should not be used where contamination is present as they may cause contaminants to become mobilised and pollute groundwater.

24.Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, mobilising contamination. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.

25.During construction of the development hereby approved, including demolition works, no materials shall be burnt on site, unless agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of occupiers of nearby premises and in the interest of public health.

26.Prior to work commencing on the site for each phase of development, including demolition, a detailed Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall provide:

(a) details of all mitigation measures identified with the Environmental Statement Main Report Volume 2A dated 21 July 2014 (reference 218699-85).

(b) details to protect the water quality and function of the River Itchen SAC/SSSI and include approved controls for surface / storm water attenuation (quality and quantity) and discharges into the foul water system.

(c) details of measures that will be implemented to avoid and minimise impacts to habitats, protected species and the adjacent designated sites including pollution prevention measures, lighting controls, avoidance of encroachment of machinery and materials and precautionary pre-commencement surveys. Such measures should be in accordance with the Volume 2a: Environmental Statement - Main Report (Arup, July 2014).

The approved Construction Environmental Management Plan shall be adhered to throughout the duration of the construction period.

Reason: To ensure that all demolition and construction work in relation to the application does not cause materially harmful effects on nearby land, properties and businesses, water resources and impacts to features of ecological interest.

27. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 08:00 and 18:00 Monday to Friday and 08:00 and 13:00 Saturday and at no time on Sundays or recognised public holidays, unless agreed in writing by the Local Planning Authority.

Reason: To ensure that all demolition and construction work in relation to the application does not cause materially harmful effects on nearby land, properties and businesses.

28. Before any air conditioning, extract ventilation or refrigeration equipment is installed and operated on any specific unit designated within Use Classes A1 to A5 in accordance with the Town and Country Planning Act (Use Classes) (Amendment)(England) Order 2005, a full acoustic report (with a scheme of attenuation measures) shall be submitted and approved in writing by the Local Planning Authority for that unit. The equipment shall be installed and maintained in accordance with the approved scheme.

Reason: To protect the amenities of the occupiers of nearby properties.

29.All units designated within Use Classes A1 to A5 in accordance with the Town and Country Planning Act (Use Classes) (Amendment)(England) Order 2005 shall only be open to customers between 07:00 and 00:00, unless agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the occupiers of nearby properties.

30.All commercial deliveries and collections from all units, except for those designated within Use Classes A3 in accordance with the Town and Country Planning Act (Use Classes) (Amendment)(England) Order 2005, shall only occur between the hours of 07:00 and 21:00, unless agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the occupiers of nearby properties.

31.Prior to commencement of any Use Classes A3 to A5 in accordance with the Town and Country Planning Act (Use Classes) (Amendment)(England) Order 2005, a full odour assessment report from catering operations for that unit (with a scheme of remedial measures) shall be submitted and approved in writing by the Local Planning Authority. All equipment shall be installed and maintained in accordance with the approved scheme.

Reason: To protect the amenities of the occupiers of nearby properties.

32.Before any C3 Use Class in each block is occupied, in accordance with the Town and Country Planning Act (Use Classes) (Amendment)(England) Order 2005, a noise validation report shall be submitted to and approved in writing by the Local Planning Authority. The noise report shall demonstrate that:

- i. all bedrooms shall achieve an 8-hour LAeq (23:00 to 07:00) of 30dB(A)
- ii all living rooms and bedrooms shall achieve a 16-hour LAeq (07:00 to 23:00) of 35dB(A).

Such noise protection measures implemented to achieve these objectives shall thereafter be maintained and operated in accordance with the approved scheme.

Reason: To ensure that acceptable noise levels within the dwellings are not exceeded.

33.No development shall take place until a scheme to deal with contamination shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall conform to current guidance and best practice as set out in BS10175:2001 Investigation of potentially contaminated sites - code of practice or other supplementary guidance and include the following phases, unless identified as unnecessary by the preceding stage and agreed in writing by the LPA:

a) A desk top study and conceptual model documenting all the previous and existing land uses of the site and adjacent land;

b) A site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study;

c) A remedial strategy detailing the measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a suitably qualified person to oversee the implementation of the works.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.

34.Prior to the occupation of the development hereby permitted, written verification produced by the suitably qualified person nominated in the approved remedial strategy shall be submitted to and approved in writing by the Local Planning Authority. The report must demonstrate that the approved remedial strategy has been implemented fully, unless varied with the written agreement of the Local Planning Authority in advance.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.

35.Development shall cease on site if, during any stage of the works, potential contamination is encountered which has not been previously identified, unless otherwise

agreed in writing with the Local Planning Authority. Works shall not recommence before an assessment of the potential contamination has been undertaken and details of the findings along with details of any remedial action required (including timing provision for implementation), has been submitted to and approved in writing by the Local Planning Authority. The development shall not be completed other than in accordance with the approved details.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.

36.Except for approved public street lighting, no external lighting, whether free standing or affixed to an existing structure, shall be provided on the site at any time unless approved otherwise in writing by the Local Planning Authority or condition 9f, 11 & 12.

Reason: To protect the appearance of the area, the environment and local residents from light pollution.

37.The developer shall advise the local planning authority (in consultation with Southern Water) of the measures which will be undertaken to protect or divert the public sewers, prior to the commencement of the development. The approved measures shall be fully implemented to the satisfaction of the Local Planning Authority.

Reason: To ensure satisfactory drainage provisions are provided.

38.Public Mains Foul drainage from the development must connect to the public mains foul sewer.

Reason: The mains foul water sewer is in close proximity to the site: There is a presumption for connection to this system.

39.Construction of each phase of the development shall not commence until details of the proposed means of foul sewerage disposal for that phase have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. In the event that drainage design needs to be considered other than on a phase by phase

basis then no construction shall commence in advance of details of a satisfactory drainage design being approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory sewage disposal provisions are provided.

40.The developer shall, prior to commencement of each phase of the development, submit to the Local Planning Authority details of the measures to be undertaken in that phase to divert / protect the public water supply mains and work shall not commence on that phase before such details are agreed in writing in consultation with Southern Water.

Reason: To ensure satisfactory water supply provisions are maintained.

41.The car parking for each phase of development shall be constructed, surfaced and marked out in accordance with the approved plan before each phase is brought into operation. The car park areas shall not thereafter be used for any purpose other than the parking, loading, unloading, turning and in the case of electric vehicles refuelling/recharging of vehicles.

Reason: To ensure that adequate on-site parking and turning facilities are made available.

42.No phase of development shall take place until details of the public art strategy as required by S106 has been submitted to and approved in writing by the Local Planning Authority. These details shall include large scale elevations at ground level or as appropriate, where public art is incorporated into the architectural of the elevations and location, specification and details of materials of all other works or structures including lighting. The works shall be carried out as approved before each phase of development is occupied and brought into use or in accordance with an agreed timeframe.

Reason: In the interests of the public realm amenity of the area.

43.No phase of development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved before each phase of development is occupied and brought into use. These details shall include the following, as relevant:

(a) vehicle, cycling and pedestrian access and circulation areas within the public realm:

(b) minor artefacts and structures (eg. street furniture, play equipment, refuse or other storage units, signs, lighting etc):

(c) proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, including lines, manholes, supports etc.):

(d) retained historic landscape features including the proposed opening up of the watercourses, reuse of heritage assets, and proposals for restoration.

Reason: To improve the appearance of the site in the interests of visual amenity.

Soft landscape details shall include the following as relevant:

(a) planting plans

(b) written specifications (including cultivation and other operations associated with plant and grass establishment:

(c) schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate:

(d) manner and treatment of watercourses, ditches and banks:

(e) all new water features :

(e) implementation programme:

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

44.Plans and particulars showing detailed proposals for all the following aspects of the development shall be submitted to and approved in writing by the Local Planning Authority before the development commences:

- i) Any offsite highways works that are required in order to make the development acceptable;
- ii) The width, alignment, gradient and type of construction proposed for the roads, footways and accesses, including all relevant horizontal cross sections and longitudinal sections showing the existing and proposed levels, together with details of street lighting, landscaping (including the materials to be used for paved and hard surfaces and the finished levels in relation to existing levels), and the method of disposing of surface water; and
- iii) The means of access, including the layout, construction and sight lines.

The agreed details shall be fully implemented before the buildings of that phase of development are occupied.

Reason: In the interests of highway safety

45.Before development commences a programme of phasing for all development within the site and the associated street works outside of the site shall be submitted to and approved in writing by the Local Planning Authority. The works shall include all hard and soft landscaping, and all street furniture. The development and associated works shall be carried out strictly in accordance with the approved phasing programme unless otherwise approved in writing by the Local Planning Authority, and the works associated with each phase of the development shall be implemented in full in accordance with the approved programme unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the phasing of development is satisfactory and provides for continuity in the provision of improvements to the public realm.

46.No landscaping works for each particular phase shall take place until details of the design, materials and finish, together with samples of the materials to be used, for the

construction of all hard surfacing, including landscaping works outside the application site, incorporating all new Bus Stops and pedestrian circulation areas, kerb edging and existing and proposed levels to the Broadway, Lower High Street, Middle Brook Street and Friarsgate have been submitted to / set out on site (as considered appropriate) and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

47.All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the completion of the development or in accordance with the phased programme agreed with the Local Planning Authority unless varied by written agreement. If within a period of five years after planting any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

48.Details of the design, materials, finish and phasing for the provision of all street furniture, including way-finding signs, seats, litter bins, cycle stands, shelters, railings and signs, including works outside the application site to the Broadway, Lower High Street, Middle Brook Street and Friarsgate, shall be submitted to the Local Planning Authority at least 3 months prior to the commencement of landscaping works to the public realm. Development shall be carried out in accordance with the details and phasing that are approved in writing by the Local Planning Authority.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

49.Details of any canopies proposed to be erected including means of fixing, materials and finished colour, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

50.Details of the design of all building foundations, hardstandings and street furniture and the layout, with positions, dimensions and levels of service trenches, ditches, drains and other excavations on site, insofar as they affect trees on or adjoining the site, shall be submitted to and approved in writing by the Local Planning Authority before any works on the site are commenced.

Reason: To ensure the protection of trees to be retained and in particular to avoid unnecessary damage to their root system

51.All trees on and adjacent to the site, shall be retained, unless shown on the approved drawings and arboricultural report as being removed. They shall be protected from damage during the course of site works in accordance with BS5837 2005. An Arboricultural Impact Appraisal and Method Statement, in accordance with BS5837:2005 shall be submitted to and approved by the Local Planning Authority, prior to any demolition, construction or groundwork commencing on the site.

The Arboricultural Officer shall be informed as soon as the construction exclusion zone has been fenced so that it can be inspected and deemed appropriate and in accordance with the approved Method Statement. Contact the Tree Officer on 01962 848317.

No Arboriculture works shall be carried out to trees other than those specified and in accordance with the approved Method Statement.

Any deviation from works prescribed or methods agreed in accordance with the approved Method Statement shall be agreed in writing to the Local Planning Authority.

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

52. The development shall be carried out in accordance with Allies and Morrison approved plans list '354_07_issue register issued in November 2014' and approved documents including: Environmental Statement Main Report Volume 2A dated 21 July 2014; and indicative plans as shown in Building B Drop-In Design and Access statement A&M July 2014 including Cycles pg 38, Waterways pg 40, Materials page 44 and the Transport Assessment updated plan 218699-00-TR-010 November 2014 and consented scheme plan 113666-06-98. G Notwithstanding these approved plans, the floorplans and elevations for Block J are hereby not approved and positions of all windows and balconies shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of that phase of development. Development shall be carried out in accordance with the approved details.

Reason: In the interests of clarifying the application documents for implementation.

53. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking and re-enacting such order no new windows or other openings shall be inserted into any elevation of any of the buildings hereby approved without the written consent of the Local Planning Authority.

Reason: In the interests of the amenities and character of the area.

54. Prior to commencement, a detailed scheme of biodiversity enhancements to be incorporated into the development shall be submitted to and approved in writing by the Local Planning Authority. Such measures should be in accordance with the Volume 2a: Environmental Statement - Main Report (Arup, July 2014). Development shall subsequently proceed in accordance with any such approved details.

Reason: To enhance biodiversity in accordance with NPPF and the Natural Environment and Rural Communities Act 2006.

55. A habitat management plan shall be submitted to and approved by the local planning authority prior to the commencement of development. The plan shall include:

(i) Description and evaluation of the features to be managed;

- (ii) Ecological trends and constraints on site that may influence management;
- (iii) Aims and objectives of management;
- (iv) Appropriate management options for achieving aims and objectives;
- (v) Prescriptions for management actions;
- (vi) Preparation of a work schedule (including a 5 year project register, an annual work plan and the means by which the plan will be rolled forward annually);
- (vii) Personnel responsible for implementation of the plan;
- (viii) Monitoring and remedial / contingencies measures triggered by monitoring. The plan shall be carried out as approved, unless otherwise approved in writing by the local planning authority.

Reason: To enhance biodiversity in accordance with NPPF and the Natural Environment and Rural Communities Act 2006.

56. Details and sections of the bridge widening in Friarsgate shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that phase of development. Development shall be carried out in accordance with the approved details prior to the occupation of that phase of development.

Reason: In the interests of the amenities of the area.

57. Cycle parking shall be provided in accordance with the approved strategy (page 38 and 39 D&A) however the specific location of all bicycle stands as shown on the approved layout drawings is indicative only and not hereby approved and shall be agreed prior to the commencement of development or in accordance with an agreed timeframe, and in accordance with conditions 09, 48, 50.

Reason: In the interests of cycle provision and visual amenity.

58.A pedestrian entrance shall be provided at ground level into Building B from Friarsgate or the north side of Lawn Street into Building B. This shall be detailed on the large scale elevation plans to be submitted pursuant to condition 03.

Reason: In the interests of providing access to facilities for bus passengers or other customers.

Informatives:

1.A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water's Network Development Team (Water) based in Chatham, Kent or www.southernwater.co.uk.

2.Under the terms of Section 109 of the Water Resources Act 1991, and the Southern Region Land Drainage and Sea Defence Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the River Itchen (which includes the culverts running underneath the site and the open section of watercourse running past the medical centre), which is designated a 'main river'.

3.As part of any consent for the deculverting and works adjacent to the other culverts on site we will expect to see a plan and cross sections showing the accurate juxtaposition of development and the proposed open channel/existing culverts, showing actual dimensions and levels, and taking into account the full size of any culvert structures and building foundations. All levels should be to Ordnance Survey datum. A full method statement detailing pollution prevention measures and, if the stream is to be diverted during construction, how the watercourse is to be diverted around the works area will also need to be submitted.

The definition of works in the above paragraph includes, but is not limited to, any construction or demolition works, opening up of or repairs to the culverted sections of the watercourses and any new bridges. This consent must be applied for and granted before any works can take place.

As part of the consent full surveys of the culverted stretches of the watercourses will have to be undertaken both prior and post construction. which should incorporate an assessment of the location and condition of the culverts to the standards as laid out in the Sewer Rehabilitation Manual.

Ownership of the river channels should be established before works begin. Careful consideration should also be given to the allocation of ownership of the watercourses after the development is completed - fragmentation of the ownership should be avoided so that the responsibility for maintenance of the watercourse is clear. Ideally the ownership of the watercourse should rest with Winchester City Council or, if appropriate, whoever is responsible for the maintenance of the public open space within the development.

Winchester Town

Ward

St Bartholomew

02 Conservation Area: Winchester Conservation Area
Case No: 14/01913/FUL
Ref No: W20100/05
Date Valid: 14 August 2014
Grid Ref: 448414 129444
Team: 2_STH **Case Officer:** Lorna Hutchings
Applicant: Silverhill Winchester No.1 Ltd
Proposal: Demolition of existing buildings and erection of a five storey building comprising retail uses (Class A1-A5) at ground to second floor level; bus station ticketing office at ground floor; 25 No. Class C3 residential units at third and fourth floor, together with refuse and recycling storage and vehicular and pedestrian access.
ASSOCIATED DOCUMENTS RECEIVED 17.10.2010 - AFFORDABLE HOUSING STATEMENT for SILVERHILL WINCHESTER NO.1 LTD OCTOBER 2014
Location: Silver Hill Development Tanner Street Winchester Hampshire
Officer PER
Recommendation:

Committee Decision:

APPROVE SUBJECT TO THE FOLLOWING CONDITION(S):-

Conditions/Reasons

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990.

02. Before any development commences on each phase of the development hereby permitted, plans and particulars showing further detail of the proposals hereby approved for all the following aspects of the development (as applicable to that phase) shall be submitted to and approved in writing by the Local Planning Authority before each phase is commenced. The approved details, which includes the public realm, shall be carried out and

fully implemented before the building(s) in that phase is/are occupied unless the written approval of the Local Planning Authority is first obtained for any variation thereto.

(a) The alignment, height, materials and finished colour of any retaining walls or screen structures and all boundary treatments, including all walls, fences and other means of enclosure.

(b) Details of the provision to be made for the storage and disposal of all waste material from the retail units and from the residential units and the market, including the siting, design and materials for any bin storage areas or collection points.

(c) Details of the siting, design, finish and means of enclosure for any fuel oil or gas storage tanks or other structures associated with utilities. Any oil tanks shall incorporate adequate spillage containment facilities.

(d) The finished levels, above ordnance datum, of the ground floor of the proposed buildings, and their relationship to the levels of external ground, existing and proposed and any existing adjoining buildings.

(e) Details of the siting, external appearance and materials to be used for any statutory undertakers or service provider's equipment such as electricity sub- stations, gas governors.

Reason: To comply with the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order).

03. Before development commences on each of the buildings (i.e. Buildings A to J), unless otherwise agreed in writing, 1:20 scale fully annotated plans, elevations and sections of the following details shall be submitted to and approved in writing by the local planning authority:

a. Eaves, verges, ridges and their junctions with elevations and roof slopes including details of shadow gaps.

b. Balconies, balcony screens and balustrades and railings around terraces and roof top gardens.

- c. Window frames including reveals and junctions with façades and head and sill details, side panels and corner column details and columns between bays.
- d. Shop front details.
- e. Oriol windows including undersides, cheeks and roofs.
- f. Roof lights and their junctions with the roof plane.
- g. Junctions of glass where they join in instances where frames are not used.
- h. Dormer windows, including dormer cheeks and dormer roofs.
- i. Grills and horizontal and vertical louvres.
- j. Parapet cappings.
- k. Chimneys and vents.
- l. Patterns of brick coursing, tile coursing and the patterns of other cladding materials together with mortar colours and profiles, for each bay type including how the junctions will be formed with the same materials and different materials.
- m. Details of standing seam metal roofs.
- n. Shadow gaps between bays.
- o. Canopies and blinds and awnings.
- p. All rainwater goods including the detail where gutters cross window frames.
- q. Timber supports and framing on the bridge between Buildings A and B.

r. Materials and detailing of the ceilings to overhangs, undercrofts and the bridge and the junctions with elevations.

s. Solar panels and all other plant and machinery fixed to the external envelope of the buildings together with their fixing to all external materials.

t. Doors and shutters together with framing and their junctions with the elevations.

u. Garden gates, and all garden boundaries.

v. Bridges over watercourses.

w. Metre boxes/cabinets and other utilities where they will be visible from the public realm including their positions, colours and materials.

The approved details relating to each building shall be implemented in full before that building is occupied.

Reason: To ensure that the external appearance of the development is of a high quality in this sensitive town centre site which is designated as a conservation area

04. Before development commences on each of the buildings (i.e. buildings A to J) samples of all the external materials to be used on that building shall be submitted to and approved in writing by the local planning authority. The external materials shall comprise those listed on the approved drawings unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the external appearance of the development is of a high quality in this sensitive town centre site which is designated as a conservation area.

05. Prior to the commencement of the residential development hereby permitted, detailed information (in the form of SAP design stage data) demonstrating that all homes meet the Code 5 standard for fabric energy efficiency (FEE) (i.e. no more than 46kWh/m²/yr) and the Code 4 standard for both carbon emissions (as described by Ene 1) and water (in the form of a BRE water calculator) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these findings.

Reason: In the interests of the sustainability of the site and meeting development plan requirements.

06. Prior to the occupation of the residential development hereby permitted, detailed information (in the form of SAP as built stage data) demonstrating that all homes meet the Code 5 standard for fabric energy efficiency (FEE) (i.e. no more than 46kWh/m²/yr) and the Code 4 standard for both carbon emissions (as described by Ene 1) and water (in the form of a BRE water calculator) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these findings.

Reason: In the interests of the sustainability of the site and meeting development plan requirements.

07. Prior to the commencement of the non-residential development hereby permitted, an interim BREEAM assessment report (together with BREEAM certificates (at 'very good' or higher standard) confirming that at least 60.85% of available points have been achieved at the design stage shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these findings.

Reason: In the interests of the sustainability of the site and meeting development plan requirements.

08. Prior to the occupation of the non-residential development hereby permitted, a final BREEAM assessment report (together with BREEAM certificates (at 'very good' or higher standard) confirming that at least 60.85% of available points have been achieved at the post construction stage shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these findings.

Reason: In the interests of the sustainability of the site and meeting development plan requirements.

09. Before any development commences on each phase of the development hereby permitted, details of the following security measures (as applicable to that phase) shall be submitted to and approved by the Local Planning Authority in writing and the development shall be undertaken in accordance with such approval.

- (a) The access control measures for private and public car parking and design details for all parking areas which should be to Secured by Design standards and capable of achieving the Park Mark Safer Parking Award;
- (b) The access control measures for all residential accommodation;
- (c) CCTV provisions for monitoring the car parking, residential access arrangements and servicing arrangements for all commercial properties; the bus station, shop mobility and all public areas;
- (d) Secure cycle parking provision;
- (e) Secure shopping trolley storage;
- (f) Lighting provisions in all communal and public areas;
- (g) Use of anti graffiti paint and vandal resistant fittings to public toilets;

Reason: To ensure that the development provides appropriate security measures in the interests of crime prevention.

10. Notwithstanding the approved elevations, Building B 'Store Signage' sign as shown on its north elevation is hereby not approved. Detailed shopfront and signage proposals for each unit, including any measures needed for security such as use of laminated glass to shop windows, grills, bollards or shutters, shall be submitted to and approved in writing by the Local Planning Authority prior to each shop front unit being commenced. The details shall be designed in accordance with the approved Shopfront Design Strategy as amended and development shall be carried out in accordance with the approved details before each shop unit is occupied.

Reason: In the interests of the amenities of the area.

11. Any floodlighting or security lighting installed during the construction period shall be sited and directed in such a way as not to cause nuisance to adjoining properties or any adjacent highway.

Reason: In the interests of amenity and safety.

12.Details of any external lighting of the site, including any street lighting and lighting for security or other purposes, shall be submitted to, and approved in writing by the Local Planning Authority no later than 12 months after the commencement of construction on the first phase of the development. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, the environment and local residents from light pollution.

13.Details of a scheme for the provision of electric vehicle recharge points within the development shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of the phase in which they are located. Any works which form part of the approved scheme shall be completed before any dwelling is occupied in the phase in which they are located unless an alternative period is agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the locality.

14.Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking and re-enacting such order no external aerials or antenna of any kind shall be erected on the buildings hereby permitted without the written consent of the Local Planning Authority and the development shall incorporate the provision of an integral cabled system to avoid the need for separate provision of such equipment.

Reason: In the interests of visual amenity.

15.Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking and re-enacting such order, the A1 retail

uses hereby approved shall be retained in such use and shall not change use or benefit from flexible permitted development rights Class CA and IA of Part 3 of Schedule 2.

16. Any making good to the existing elevations or roof of the Woolstaplers Hall (Block H) building shall be undertaken using matching materials.

Reason: To ensure the detailing and materials maintain the architectural interest of the building.

17. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Those details shall include:

1. Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
2. A timetable for its implementation; and
3. A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable urban drainage scheme throughout its lifetime.

Reason: To prevent the increased risk of flooding, both on and off site, in line with the policy aims of the National Planning Policy Framework

18.The development hereby permitted shall not be commenced until such time as a scheme to provide the following has been submitted to, and approved in writing by, the local planning authority:

- Provision of compensatory flood storage where necessary.
- Identification and preservation of flood flow routes across the site

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided and that flood flows can be passed safely through the development.

19.No development shall take place until a plan for the de-culverting, in-channel and bank ecological enhancement, landscape management of the stream and any adjacent landscaped areas (including long- term design objectives, management responsibilities and maintenance schedules) for Abbey Mill stream (both arms) shall be submitted to and approved in writing by the local planning authority. The plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

Layout and details shall respond positively to local distinctiveness and include the following elements:

- Detail extent and type of new planting (NB planting to be of native species).
- Details of maintenance regimes.
- Details of any new habitat created on site.
- Details of treatment of site boundaries, channels, and/or buffers around water bodies.
- Details of management responsibilities.

Reason: To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy.

20.No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:

- All previous uses;
- Potential contaminants associated with those uses;
- A conceptual model of the site indicating sources, pathways and receptors;
- Potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: The site lies above the Lewes nodular chalk formation which is designated as a principal aquifer. Contamination present as a result of historical activities at the site (including a bus station, depot and workshop with fuel storage) may pose a risk to controlled waters and has the potential to pollute both the underlying aquifer and River Itchen. Risks to groundwater and surface water from contamination have not yet been fully established at the site.

21.No occupation of each phase of development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure that remediation has been carried out in accordance with the agreed strategy.

22.If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: The site lies above the Lewes nodular chalk formation which is designated as a principal aquifer. Contamination present as a result of historical activities at the site has the potential to pollute both the underlying aquifer and River Itchen. Risks to groundwater and surface water from contamination have not yet been fully established at the site.

23.No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to

controlled waters. The development shall be carried out in accordance with the approval details.

Reason: The site lies above the Lewes nodular chalk formation which is designated as a principal aquifer. Infiltration system should not be used where contamination is present as they may cause contaminants to become mobilised and pollute groundwater.

24.Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, mobilising contamination. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.

25.During construction of the development hereby approved, including demolition works, no materials shall be burnt on site, unless agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of occupiers of nearby premises and in the interest of public health.

26.Prior to work commencing on the site for each phase of development, including demolition, a detailed Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall provide:

(a)details of all mitigation measures identified with the Environmental Statement Main Report Volume 2A dated 21 July 2014 (reference 218699-85).

(b)details to protect the water quality and function of the River Itchen SAC/SSSI and include approved controls for surface / storm water attenuation (quality and quantity) and discharges into the foul water system.

(c) details of measures that will be implemented to avoid and minimise impacts to habitats, protected species and the adjacent designated sites including pollution prevention measures, lighting controls, avoidance of encroachment of machinery and materials and precautionary pre-commencement surveys. Such measures should be in accordance with the Volume 2a: Environmental Statement - Main Report (Arup, July 2014).

The approved Construction Environmental Management Plan shall be adhered to throughout the duration of the construction period.

Reason: To ensure that all demolition and construction work in relation to the application does not cause materially harmful effects on nearby land, properties and businesses, water resources and impacts to features of ecological interest.

27. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 08:00 and 18:00 Monday to Friday and 08:00 and 13:00 Saturday and at no time on Sundays or recognised public holidays, unless agreed in writing by the Local Planning Authority.

Reason: To ensure that all demolition and construction work in relation to the application does not cause materially harmful effects on nearby land, properties and businesses.

28. Before any air conditioning, extract ventilation or refrigeration equipment is installed and operated on any specific unit designated within Use Classes A1 to A5 in accordance with the Town and Country Planning Act (Use Classes) (Amendment)(England) Order 2005, a full acoustic report (with a scheme of attenuation measures) shall be submitted and approved in writing by the Local Planning Authority for that unit. The equipment shall be installed and maintained in accordance with the approved scheme.

Reason: To protect the amenities of the occupiers of nearby properties.

29. All units designated within Use Classes A1 to A5 in accordance with the Town and Country Planning Act (Use Classes) (Amendment)(England) Order 2005 shall only be open to customers between 07:00 and 00:00, unless agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the occupiers of nearby properties.

30.All commercial deliveries and collections from all units, except for those designated within Use Classes A3 in accordance with the Town and Country Planning Act (Use Classes) (Amendment)(England) Order 2005, shall only occur between the hours of 07:00 and 21:00, unless agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the occupiers of nearby properties.

31.Prior to commencement of any Use Classes A3 to A5 in accordance with the Town and Country Planning Act (Use Classes) (Amendment)(England) Order 2005, a full odour assessment report from catering operations for that unit (with a scheme of remedial measures) shall be submitted and approved in writing by the Local Planning Authority. All equipment shall be installed and maintained in accordance with the approved scheme.

Reason: To protect the amenities of the occupiers of nearby properties.

32.Before any C3 Use Class in each block is occupied, in accordance with the Town and Country Planning Act (Use Classes) (Amendment)(England) Order 2005, a noise validation report shall be submitted to and approved in writing by the Local Planning Authority. The noise report shall demonstrate that:

- i. all bedrooms shall achieve an 8-hour LAeq (23:00 to 07:00) of 30dB(A)
- ii all living rooms and bedrooms shall achieve a 16-hour LAeq (07:00 to 23:00) of 35dB(A).

Such noise protection measures implemented to achieve these objectives shall thereafter be maintained and operated in accordance with the approved scheme.

Reason: To ensure that acceptable noise levels within the dwellings are not exceeded.

33.No development shall take place until a scheme to deal with contamination shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall conform to current guidance and best practice as set out in BS10175:2001 Investigation of potentially contaminated sites - code of practice or other supplementary guidance and include the following phases, unless identified as unnecessary by the preceding stage and agreed in writing by the LPA:

- a) A desk top study and conceptual model documenting all the previous and existing land uses of the site and adjacent land;
- b) A site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study;
- c) A remedial strategy detailing the measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a suitably qualified person to oversee the implementation of the works.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.

34. Prior to the occupation of the development hereby permitted, written verification produced by the suitably qualified person nominated in the approved remedial strategy shall be submitted to and approved in writing by the Local Planning Authority. The report must demonstrate that the approved remedial strategy has been implemented fully, unless varied with the written agreement of the Local Planning Authority in advance.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.

35. Development shall cease on site if, during any stage of the works, potential contamination is encountered which has not been previously identified, unless otherwise agreed in writing with the Local Planning Authority. Works shall not recommence before an assessment of the potential contamination has been undertaken and details of the findings along with details of any remedial action required (including timing provision for implementation), has been submitted to and approved in writing by the Local Planning

Authority. The development shall not be completed other than in accordance with the approved details.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.

36.Except for approved public street lighting, no external lighting, whether free standing or affixed to an existing structure, shall be provided on the site at any time unless approved otherwise in writing by the Local Planning Authority or condition 9f, 11 & 12.

Reason: To protect the appearance of the area, the environment and local residents from light pollution.

37.The developer shall advise the local planning authority (in consultation with Southern Water) of the measures which will be undertaken to protect or divert the public sewers, prior to the commencement of the development. The approved measures shall be fully implemented to the satisfaction of the Local Planning Authority.

Reason: To ensure satisfactory drainage provisions are provided.

38.Public Mains Foul drainage from the development must connect to the public mains foul sewer.

Reason: The mains foul water sewer is in close proximity to the site: There is a presumption for connection to this system.

39.Construction of each phase of the development shall not commence until details of the proposed means of foul sewerage disposal for that phase have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. In the event that drainage design needs to be considered other than on a phase by phase basis then no construction shall commence in advance of details of a satisfactory drainage design being approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory sewage disposal provisions are provided.

40.The developer shall, prior to commencement of each phase of the development, submit to the Local Planning Authority details of the measures to be undertaken in that phase to divert / protect the public water supply mains and work shall not commence on that phase before such details are agreed in writing in consultation with Southern Water.

Reason: To ensure satisfactory water supply provisions are maintained.

41.The car parking for each phase of development shall be constructed, surfaced and marked out in accordance with the approved plan before each phase is brought into operation. The car park areas shall not thereafter be used for any purpose other than the parking, loading, unloading, turning and in the case of electric vehicles refuelling/recharging of vehicles.

Reason: To ensure that adequate on-site parking and turning facilities are made available.

42.No phase of development shall take place until details of the public art strategy as required by S106 has been submitted to and approved in writing by the Local Planning Authority. These details shall include large scale elevations at ground level or as appropriate, where public art is incorporated into the architectural of the elevations and location, specification and details of materials of all other works or structures including lighting. The works shall be carried out as approved before each phase of development is occupied and brought into use or in accordance with an agreed timeframe.

Reason: In the interests of the public realm amenity of the area.

43.No phase of development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved before each phase of development is occupied and brought into use. These details shall include the following, as relevant:

(a) vehicle, cycling and pedestrian access and circulation areas within the public realm:

(b) minor artefacts and structures (eg. street furniture, play equipment, refuse or other storage units, signs, lighting etc):

(c) proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, including lines, manholes, supports etc.):

(d) retained historic landscape features including the proposed opening up of the watercourses, reuse of heritage assets, and proposals for restoration.

Reason: To improve the appearance of the site in the interests of visual amenity.

Soft landscape details shall include the following as relevant:

(a) planting plans

(b) written specifications (including cultivation and other operations associated with plant and grass establishment:

(c) schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate:

(d) manner and treatment of watercourses, ditches and banks:

(e) all new water features :

(e) implementation programme:

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

44.Plans and particulars showing detailed proposals for all the following aspects of the development shall be submitted to and approved in writing by the Local Planning Authority before the development commences:

i) Any offsite highways works that are required in order to make the development acceptable;

ii) The width, alignment, gradient and type of construction proposed for the roads, footways and accesses, including all relevant horizontal cross sections and longitudinal sections showing the existing and proposed levels, together with details of street lighting, landscaping (including the materials to be used for paved and hard surfaces and the finished levels in relation to existing levels), and the method of disposing of surface water; and

iii) The means of access, including the layout, construction and sight lines.

The agreed details shall be fully implemented before the buildings of that phase of development are occupied.

Reason: In the interests of highway safety

45. Before development commences a programme of phasing for all development within the site and the associated street works outside of the site shall be submitted to and approved in writing by the Local Planning Authority. The works shall include all hard and soft landscaping, and all street furniture. The development and associated works shall be carried out strictly in accordance with the approved phasing programme unless otherwise approved in writing by the Local Planning Authority, and the works associated with each phase of the development shall be implemented in full in accordance with the approved programme unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the phasing of development is satisfactory and provides for continuity in the provision of improvements to the public realm.

46. No landscaping works for each particular phase shall take place until details of the design, materials and finish, together with samples of the materials to be used, for the construction of all hard surfacing, including landscaping works outside the application site, incorporating all new Bus Stops and pedestrian circulation areas, kerb edging and existing and proposed levels to the Broadway, Lower High Street, Middle Brook Street and Friarsgate have been submitted to / set out on site (as considered appropriate) and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

47.All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the completion of the development or in accordance with the phased programme agreed with the Local Planning Authority unless varied by written agreement. If within a period of five years after planting any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

48.Details of the design, materials, finish and phasing for the provision of all street furniture, including way-finding signs, seats, litter bins, cycle stands, shelters, railings and signs, including works outside the application site to the Broadway, Lower High Street, Middle Brook Street and Friarsgate, shall be submitted to the Local Planning Authority at least 3 months prior to the commencement of landscaping works to the public realm. Development shall be carried out in accordance with the details and phasing that are approved in writing by the Local Planning Authority.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

49.Details of any canopies proposed to be erected including means of fixing, materials and finished colour, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

50.Details of the design of all building foundations, hardstandings and street furniture and the layout, with positions, dimensions and levels of service trenches, ditches, drains and

other excavations on site, insofar as they affect trees on or adjoining the site, shall be submitted to and approved in writing by the Local Planning Authority before any works on the site are commenced.

Reason: To ensure the protection of trees to be retained and in particular to avoid unnecessary damage to their root system

51. All trees on and adjacent to the site, shall be retained, unless shown on the approved drawings and arboricultural report as being removed. They shall be protected from damage during the course of site works in accordance with BS5837 2005. An Arboricultural Impact Appraisal and Method Statement, in accordance with BS5837:2005 shall be submitted to and approved by the Local Planning Authority, prior to any demolition, construction or groundwork commencing on the site.

The Arboricultural Officer shall be informed as soon as the construction exclusion zone has been fenced so that it can be inspected and deemed appropriate and in accordance with the approved Method Statement. Contact the Tree Officer on 01962 848317.

No Arboriculture works shall be carried out to trees other than those specified and in accordance with the approved Method Statement.

Any deviation from works prescribed or methods agreed in accordance with the approved Method Statement shall be agreed in writing to the Local Planning Authority.

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

52. The development shall be carried out in accordance with Allies and Morrison approved plans list '354_07_issue register issued in November 2014' and approved documents including: Environmental Statement Main Report Volume 2A dated 21 July 2014; and indicative plans as shown in Building B Drop-In Design and Access statement A&M July 2014 including Cycles pg 38, Waterways pg 40, Materials page 44 and the Transport Assessment updated plan 218699-00-TR-010 November 2014 and consented scheme plan 113666-06-98. G Notwithstanding these approved plans, the floorplans and elevations for Block J are hereby not approved and positions of all windows and balconies shall be

submitted to and approved in writing by the Local Planning Authority, prior to the commencement of that phase of development. Development shall be carried out in accordance with the approved details.

Reason: In the interests of clarifying the application documents for implementation.

53. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking and re-enacting such order no new windows or other openings shall be inserted into any elevation of any of the buildings hereby approved without the written consent of the Local Planning Authority.

Reason: In the interests of the amenities and character of the area.

54. Prior to commencement, a detailed scheme of biodiversity enhancements to be incorporated into the development shall be submitted to and approved in writing by the Local Planning Authority. Such measures should be in accordance with the Volume 2a: Environmental Statement - Main Report (Arup, July 2014). Development shall subsequently proceed in accordance with any such approved details.

Reason: To enhance biodiversity in accordance with NPPF and the Natural Environment and Rural Communities Act 2006.

55. A habitat management plan shall be submitted to and approved by the local planning authority prior to the commencement of development. The plan shall include:

- (i) Description and evaluation of the features to be managed;
- (ii) Ecological trends and constraints on site that may influence management;
- (iii) Aims and objectives of management;
- (iv) Appropriate management options for achieving aims and objectives;
- (v) Prescriptions for management actions;

(vi) Preparation of a work schedule (including a 5 year project register, an annual work plan and the means by which the plan will be rolled forward annually);

(vii) Personnel responsible for implementation of the plan;

(viii) Monitoring and remedial / contingencies measures triggered by monitoring. The plan shall be carried out as approved, unless otherwise approved in writing by the local planning authority.

Reason: To enhance biodiversity in accordance with NPPF and the Natural Environment and Rural Communities Act 2006.

56. Details and sections of the bridge widening in Friarsgate shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that phase of development. Development shall be carried out in accordance with the approved details prior to the occupation of that phase of development.

Reason: In the interests of the amenities of the area.

57. Cycle parking shall be provided in accordance with the approved strategy (page 38 and 39 D&A) however the specific location of all bicycle stands as shown on the approved layout drawings is indicative only and not hereby approved and shall be agreed prior to the commencement of development or in accordance with an agreed timeframe, and in accordance with conditions 09, 48, 50.

Reason: In the interests of cycle provision and visual amenity.

58. A pedestrian entrance shall be provided at ground level into Building B from Friarsgate or the north side of Lawn Street into Building B. This shall be detailed on the large scale elevation plans to be submitted pursuant to condition 03.

Reason: In the interests of providing access to facilities for bus passengers or other customers.

Informatives:

1.A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water's Network Development Team (Water) based in Chatham, Kent or www.southernwater.co.uk.

2.Under the terms of Section 109 of the Water Resources Act 1991, and the Southern Region Land Drainage and Sea Defence Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the River Itchen (which includes the culverts running underneath the site and the open section of watercourse running past the medical centre), which is designated a 'main river'.

3.As part of any consent for the deculverting and works adjacent to the other culverts on site we will expect to see a plan and cross sections showing the accurate juxtaposition of development and the proposed open channel/existing culverts, showing actual dimensions and levels, and taking into account the full size of any culvert structures and building foundations. All levels should be to Ordnance Survey datum. A full method statement detailing pollution prevention measures and, if the stream is to be diverted during construction, how the watercourse is to be diverted around the works area will also need to be submitted.

The definition of works in the above paragraph includes, but is not limited to, any construction or demolition works, opening up of or repairs to the culverted sections of the watercourses and any new bridges. This consent must be applied for and granted before any works can take place.

As part of the consent full surveys of the culverted stretches of the watercourses will have to be undertaken both prior and post construction. which should incorporate an assessment of the location and condition of the culverts to the standards as laid out in the Sewer Rehabilitation Manual.

Ownership of the river channels should be established before works begin. Careful consideration should also be given to the allocation of ownership of the watercourses after the development is completed - fragmentation of the ownership should be avoided so that

the responsibility for maintenance of the watercourse is clear. Ideally the ownership of the watercourse should rest with Winchester City Council or, if appropriate, whoever is responsible for the maintenance of the public open space within the development.

Winchester Town

Ward

St Bartholomew

03 Conservation Winchester Conservation Area
Area:
Case No: 14/01915/FUL
Ref No: W20100/07
Date Valid: 14 August 2014
Grid Ref: 448414 129444
Team: 2_STH **Case Officer:** Lewis Oliver
Applicant: Silverhill Winchester No.1 Ltd
Proposal: Demolition of no 149/150 High Street and replacement with a three storey retail and residential building, demolition of 153 High Street and redevelopment for a three storey retail and residential building, development of a three storey residential and retail building at 161-162 High Street with associated landscaping and access works (153 HIGH STREET AFFECTS THE SETTING OF A LISTED BUILDING)
Location: Silver Hill Development Tanner Street Winchester Hampshire
Officer PER
Recommendation:

Committee Decision:

APPROVE SUBJECT TO THE FOLLOWING CONDITION(S):-

Conditions/Reasons

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

2 No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

3 The works of demolition hereby authorised shall not be commenced before a contract for the carrying out and completion of the entire works of redevelopment of the site has been made and planning permission has been granted for the redevelopment for which the contract provides. Evidence of such a contract shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent premature demolition and the creation of gap sites which will be prejudicial to the amenities of the conservation area and to accord with the NPPF.

4 The demolition of the archway adjoining 153 High Street and Maison Blanc, a listed building, shall be carried out by hand or by non-powered hand held tools only.

Reason: In the interests of preventing damage to adjoining parts of the listed building identified for retention.

5 No development shall commence until sample panels of all new flintwork showing the proposed knapped flint colour and finish, and pointing have been provided on site and the specification approved in writing by the Local Planning Authority before the relevant parts of the works are begun. The relevant parts of the work shall be carried out in accordance with such approved sample panel. The approved sample panels shall be retained on site until the work is completed.

Reason: To ensure that the detailing and finish maintains the architectural quality expected in the vicinity of listed buildings and preserves the character of the conservation area.

6 No development shall commence until details in respect of the following have been submitted to and approved in writing by the Local Planning Authority before the relevant work is begun. The relevant work shall be carried out in accordance with such approved details.

(a) Window design in terms of elevation and cross sections, opening method, recess and colour of finish;

(b) External Rainwater goods including position, material, cross section(profile) and colour finish.

(c) Shutters material, design including any opening properties and colour finish

(d) Chimney design (NB it is expected that where these are proposed, these shall be constructed of brick in the traditional manner)

above are clearly discernible. E.g. windows 1:5 or 1:10.

Reason: To ensure that the detailing and finish maintains the architectural character and appearance of the Conservation area.

7 No new plumbing, pipes, soil-stacks, flues, vents or ductwork shall be fixed on the external faces of the buildings unless shown on the drawings hereby approved.

Reason: To prevent harm to the character and appearance of the conservation area.

8 No new grilles, security alarms, lighting, cameras or other appurtenances shall be fixed on the external faces of the buildings unless shown on the drawings hereby approved.

Reason: To prevent harm to the character and appearance of the conservation area.

9 No development/demolition or site preparation shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological mitigation work (to include an initial phase of archaeological evaluation at each site) in accordance with a Written Scheme of Investigation that has been submitted to and approved by the local planning authority in writing. No demolition/development or site preparation shall take place other than in accordance with the Written Scheme of Investigation approved by the LPA. The Written Scheme of Investigation shall include:

1. An assessment of significance and research questions
2. The programme and methodology of site investigation and recording
3. Provision for post investigation assessment, reporting and dissemination
4. Provision to be made for deposition of the analysis and records of the site investigation (archive)
5. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: To mitigate the effect of the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations, in compliance with policy HE.1 of the Winchester District Local Plan Review.

10 Following completion of archaeological fieldwork, a report will be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports and publication.

Reason: To ensure that evidence from the historic environment contributing to our knowledge and understanding of our past is captured and made publicly available, in compliance with policy HE.1 of the Winchester District Local Plan Review.

11 The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (1a) and the provision made for analysis, publication and dissemination of results approved under condition (1b) and archive deposition has been secured, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that evidence from the historic environment contributing to our knowledge and understanding of our past is captured and made publicly available, in compliance with policy HE.1 of the Winchester District Local Plan Review.

12 Before any works hereby permitted are begun, details of the foundation, piling configuration, drainage and services and other ground intrusions, to include a detailed design and method statement, shall be submitted to and approved in writing by the Local Planning Authority, such details to show the preservation of surviving archaeological remains which are to be preserved.

Reason: To ensure the conservation and protection of important archaeological remains present within the site, in compliance with policy HE.1 of the Winchester District Local Plan Review.

13 Prior to the commencement of the residential development hereby permitted, detailed information (in the form of SAP design stage data) demonstrating that all homes meet the

Code 5 standard for fabric energy efficiency (FEE) (i.e. no more than 46kWh/m²/yr) and the Code 4 standard for both carbon emissions (as described by Ene 1) and water (in the form of a BRE water calculator) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these findings.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2012 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

14 Prior to the commencement of the non-residential development hereby permitted, an interim BREEAM assessment report (together with BREEAM certificates (at 'very good' or higher standard) confirming that at least 60.85% of available points have been achieved at the design stage shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these findings.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2012 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

15 All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 08:00 and 18:00 Monday to Friday and 08:00 and 13:00 Saturday and at no time on Sundays or recognised public holidays, unless agreed in writing by the Local Planning Authority.

Reason: To ensure that all demolition and construction work in relation to the application does not cause materially harmful effects on nearby land, properties and businesses.

16 During construction of the development hereby approved, including demolition works, no materials shall be burnt on site, unless agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of occupiers of nearby premises and in the interest of public health.

17 Before any air conditioning, extract ventilation or refrigeration equipment is installed and operated on any specific unit designated within Use Classes A1 to A5 in accordance with the Town and Country Planning Act (Use Classes) (Amendment)(England) Order 2005, a full acoustic report (with a scheme of attenuation measures) shall be submitted and approved in writing by the Local Planning Authority for that unit .The equipment shall be installed and maintained in accordance with the approved scheme.

Reason: To protect the amenities of the occupiers of nearby properties.

18 All units designated within Use Classes A1 to A5 in accordance with the Town and Country Planning Act (Use Classes) (Amendment)(England) Order 2005 shall only be open to customers between 07:00 and 23:00, unless agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the occupiers of nearby properties.

19 All commercial deliveries and collections from all units, except for those designated within Use Classes A3 in accordance with the Town and Country Planning Act (Use

Classes) (Amendment)(England) Order 2005, shall only occur between the hours of 07:00 and 21:00, unless agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the occupiers of nearby properties.

20 Before any C3 Use Class in each block is occupied, in accordance with the Town and Country Planning Act (Use Classes) (Amendment)(England) Order 2005, a noise validation report shall be submitted to and approved in writing by the Local Planning Authority. The noise report shall demonstrate that:

- i. all bedrooms shall achieve an 8-hour LAeq (23:00 to 07:00) of 30dB(A)
- ii all living rooms and bedrooms shall achieve a 16-hour LAeq (07:00 to 23:00) of 35dB(A)

Such noise protection measures implemented to achieve these objectives shall thereafter be maintained and operated in accordance with the approved scheme.

Reason: To ensure that acceptable noise levels within the dwellings are not exceeded.

21 No development shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:
 - o all previous uses
 - o potential contaminants associated with those uses
 - o a conceptual model of the site indicating sources, pathways and receptors
 - o potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: The site lies above the Lewes nodular chalk formation which is designated as a principal aquifer. Contamination present as a result of historical activities at the site (including a bus station, depot and workshop with fuel storage) may pose a risk to controlled waters and has the potential to pollute both the underlying aquifer and River Itchen.

22 No occupation of each phase of development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local

planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: The site lies above the Lewes nodular chalk formation which is designated as a principal aquifer. Contamination present as a result of historical activities at the site (including a bus station, depot and workshop with fuel storage) may pose a risk to controlled waters and has the potential to pollute both the underlying aquifer and River Itchen.

23 If during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: The site lies above the Lewes nodular chalk formation which is designated as a principal aquifer. Contamination present as a result of historical activities at the site (including a bus station, depot and workshop with fuel storage) may pose a risk to controlled waters and has the potential to pollute both the underlying aquifer and River Itchen.

24 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: The site lies above the Lewes nodular chalk formation which is designated as a principal aquifer. Contamination present as a result of historical activities at the site (including a bus station, depot and workshop with fuel storage) may pose a risk to controlled waters and has the potential to pollute both the underlying aquifer and River Itchen.

25 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: The site lies above the Lewes nodular chalk formation which is designated as a principal aquifer. Contamination present as a result of historical activities at the site (including a bus station, depot and workshop with fuel storage) may pose a risk to controlled waters and has the potential to pollute both the underlying aquifer and River Itchen.

26 The works hereby permitted shall be carried out in accordance with measures set out in section 3.3 of the bat survey File Note (ARUP, August 2014) unless otherwise approved in writing by the Local Planning Authority.

Reason: To enhance biodiversity in accordance with NPPF and the Natural Environment and Rural Communities Act 2006.

Informatives

1. In accordance with paragraphs 186 and 187 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service and,
- updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this instance the applicant was updated of any issues during the course of the application.

2. This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

3. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Winchester District Local Plan Review 2006:

- DP3 - General Design Criteria
- DP4 - Landscape and the Built Environment
- DP5 - Amenity Open Space
- DP10 - Pollution
- DP13 - Contaminated land
- HE1 - HE2 - Archaeology
- HE4 - HE12 - Conservation Areas
- HE14 - Listed Buildings
- H3 - Settlement Boundary
- SF1 - SF3 - Town Centre Uses
- T2 - T4 - Transport and Parking
- W2 - Silver Hill
- W7 - Car Parking

Winchester Local Plan Part 1 - Joint Core Strategy:

- DS1 - Development Strategy and Principles
- WT1 - Development Strategy for Winchester
- CP1 - Housing Provision
- CP2 - Housing Mix
- CP3 - Affordable Housing
- CP6 - Local Services and Facilities

- CP7 - Open Space, Sport & Recreation
- CP8 - Economic Growth and Diversification
- CP9 - Retention of Employment Land/Premises
- CP10 - Transport
- CP11 - Sustainable Low and Zero Carbon Built Development
- CP13 - High Quality Design
- CP14 - Effective Uses of Land
- CP15 - Green Infrastructure
- CP16 - Biodiversity
- CP17 - Flooding etc.
- CP20 - Heritage and Landscape
- CP21 - Infrastructure and Community Benefit

4. Birds nests, when occupied or being built, receive legal protection under the Wildlife and Countryside Act 1981 (as amended). It is highly advisable to undertake clearance of potential bird nesting habitat (such as suitable building features) outside the bird nesting season, which is generally seen as extending from March to the end of August, although may extend longer depending on local conditions. If there is absolutely no alternative to doing the work in during this period then a thorough, careful and quiet examination of the affected area must be carried out before clearance starts. If occupied nests are present then work must stop in that area, a suitable (approximately 5m) stand-off maintained, and clearance can only recommence once the nest becomes unoccupied of its own accord.

5. Under the terms of Section 109 of the Water Resources Act 1991, and the Southern Region Land Drainage and Sea Defence Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the River Itchen (which runs in a culvert under Cross Keys Passage) which is designated a 'main river'.

6. As part of any consent for works adjacent to the culvert we will expect to see a plan and cross sections showing the accurate juxtaposition of development and culvert, showing actual dimensions and levels, and taking into account the full size of any culvert structures and building foundations. All levels should be to Ordnance Survey datum. A full method statement detailing pollution prevention measures and, if the stream is to be diverted during construction, how the watercourse is to be diverted around the works area will also need to be submitted.

Winchester Town

Ward

St Bartholomew

- 04 Conservation** Winchester Conservation Area
- Area:**
- Case No:** 14/01916/LIS
- Ref No:** W20100/06LB
- Date Valid:** 14 August 2014
- Grid Ref:** 448414 129444
- Team:** 2_STH **Case Officer:** Lewis Oliver
- Applicant:** Silverhill Winchester No.1 Ltd
- Proposal:** Removal of brick arch connecting 153 High Street to Maison Blanc
- Location:** Silver Hill Development Tanner Street Winchester Hampshire
- Officer** PER
- Recommendation:**
- Committee Decision:**

APPROVE SUBJECT TO THE FOLLOWING CONDITION(S):-

Conditions/Reasons

1 The demolition of the brick arch shall be carried out by hand or by non-powered hand held tools only.

Reason: In the interests of preventing damage to adjacent listed building identified for retention.

2 All works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition attached to this consent.

Reason: To prevent harm to the character and appearance of the listed building

Informatives

1. This permission is granted for the following reasons:
The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

2. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Winchester District Local Plan Review 2006: HE4 and HE5

Winchester LPP1: CP20

3. In accordance with paragraphs 186 and 187 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service and,
 - updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.
- In this instance pre-application advice was given.
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